

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,	)	
	)	
v.	)	Criminal No. 20-93
	)	
BORIS GOLDSHTEIN,	)	Judge Cathy Bissoon
	)	
Defendant.	)	

**ORDER**

Defendant’s Motion (Doc. 78) for compassionate release will be denied, for essentially the same reasons stated in the government’s Opposition (Doc. 98), which are incorporated by reference. The government is correct that Defendant’s primary complaint – uncontrolled weight loss while in custody – is not supported by the record. Upon surrendering for service of sentence, Defendant weighed 104 pounds – and his most recent recorded weight, on October 16, 2023, was 104 pounds. *Compare* Doc. 99 (filed under seal) at ECF-banner pg. 324 of 447 *with* pg. 2 of 447. Defendant’s weight while in custody has remained stable, fluctuating only marginally. His claims of extreme frailty, moreover, are undermined by a recent disciplinary incident, in which he struck another inmate. *See* Doc. 98-7; *see also* Def.’s Mot. (Doc. 78) at 11. Otherwise, Defendant’s allegations of inadequate medical treatment are unsupported by the medical records, and the Court is not convinced that he has demonstrated extraordinary and compelling reasons for release.

Even were the Court to conclude otherwise, it nevertheless would deny release in light of the factors in Section 3553. Defendant was convicted of possessing large amounts of methamphetamine, with the intention to distribute. In connection with his drug activity, he kept multiple firearms and ammunition. At his sentencing Hearing, evidence was presented – in the

form of electronic communications – indicating Defendant’s willingness to use his firearms if threatened. Early release would be inconsistent with considerations regarding the seriousness, and dangerousness, of Defendant’s criminal activity, and the needs for just punishment and deterrence. To the extent that his limited criminal history may be viewed as a mitigating factor, that already was accounted for in the original imposition of sentence.

For these reasons, along with the others identified in the government’s opposition (Doc. 98), Defendant’s Motion (**Doc. 78**) is **DENIED**.

IT IS SO ORDERED.

November 28, 2023

s/Cathy Bissoon

Cathy Bissoon

United States District Judge

cc (via ECF email notification):

All Counsel of Record